

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: Co Special Permit #194, Prel. Plat #02010
Stevens Creek Estates Community Unit Plan

Date: April 12, 2002

NOTE: This is a combined staff report for related items. This report contains a single background and analysis section for all items. There are separate conditions for each individual application.

PROPOSAL: A Community Unit Plan and Preliminary Plat to create 4 lots and 2 outlots.

WAIVER REQUEST: Waivers of street trees, street lighting, landscape screens, sidewalks and block length.

LAND AREA: 80.229 acres, more or less.

CONCLUSION: This plat generally conforms with the Comprehensive Plan and adopted Regulations.

<u>RECOMMENDATION:</u>	Conditional Approval of the Special Permit Conditional Approval of the Preliminary Plat
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The S1/2 of the SE 1/4 of Section 1, T10N, R6E, in the 6th P.M., Lancaster County, Nebraska.

LOCATION: 190th Street and Havelock Ave.

APPLICANT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402) 434-2424

OWNERS: Gerry and Dianne Krieser
7540 San Mateo Lane
Lincoln, NE 68516
(402) 420-9963

CONTACT: Brian D. Carstens and Associates

EXISTING ZONING: AG Agricultural in the Lancaster County Jurisdiction.

EXISTING LAND USE: Agriculture.

SURROUNDING LAND USE AND ZONING: AG zoned in the surrounding area.

North: Agriculture, zoned AG

South: Agriculture, zoned AG

East: Agriculture, zoned AG

West: Agriculture, zoned AG

ASSOCIATED APPLICATIONS: This request is for County Special Permit # 194 and Preliminary Plat #02010

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 1994 Comprehensive Plan shows this area as Agriculture. A cluster is permitted by special permit in the County AG district.

UTILITIES: There is no public sewer available. This is in the Cass County Rural Water District #2.

TOPOGRAPHY: Rolling land, draining to the south and southeast. There is a grassed waterway/drainage area diagonally across the parcel from northwest to southeast.

TRAFFIC ANALYSIS: This is served by 190th Street and Havelock Avenue, both are county gravel roads. Havelock Avenue is a dirt road one mile to the west. 190th street does not exist to the south. Access will likely be via 148th (a paved road) to Fletcher to 190th Street.

PUBLIC SERVICE: This is in the Eagle/Alvo Fire District and the Waverly School District. This is served by the Lancaster County Sheriff's Department.

REGIONAL ISSUES: Expansion of the acreage areas. Clustering to preserve farm land.

ENVIRONMENTAL CONCERNS: The Historic and Ecological resources survey shows three abandoned sand or quarry pits in the area. The soil rating on this 1/4 section is 3.7 on a scale of 1 to 10 where 1 to 4 is prime. This is prime ag land. An abandoned rail line lies about 1/8th mile to the north of the property. A major power line crosses the far southeastern tip of the property.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: Continued farming or 4 dwellings on 20 acre parcels.

ANALYSIS:

1. This request is for a Special Permit for a Community Unit Plan and a Preliminary Plat for 4 acreage residential lots and two outlots. A gravel private street is proposed.
2. Cass County Rural Water and individual sewage disposal are proposed. The lots are large enough for lagoons if percolation will not support a septic system.
3. This request is in general conformance with the Comprehensive Plan.
4. The applicant is requesting waivers to street lighting, street trees, landscape screens, and sidewalks. These waivers are consistent with the rural nature of the subdivision and the provisions of the County regulations. The area is not to be annexed by the city at this time. The existing farm land and proposed acreages do provide storm water detention equivalent to the Lincoln standards.
5. The applicant is requesting a waiver of the block length along the north, east and west of the plat. The waiver is reasonable considering the nature and use of the land for farming.
6. The density calculations for the project are as follows;

80.229 acres including ROW =	80.229 acres
@ 20 acres per dwelling =	4.01 dwellings
no bonus requested	4 dwellings permitted
Requested	4 units

7. The County Engineers letter of March 26, 2002 notes the following;
 - 1) The dedication of right-of-way on both North 190th Street and Havelock Avenue shall be 50.00 feet beginning at the section line.
 - 2) A culvert is needed under North 185th Court for the ditch of Havelock Avenue.
 - 3) The intersection radius shall be 50.00 feet.
 - 4) The vertical curve at Sta. 7+00 is too short.
 - 5) The contours on the grading plan are incorrect.

8. The Health Department notes a rural water district is proposed and the lots are large enough for septic or lagoons.
9. The applicant is not requesting a 20% bonus for farmland protection.

CONDITIONS FOR SPECIAL PERMIT #194:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of March 26, 2002.
 - 1) The dedication of right-of-way on both North 190th Street and Havelock Avenue shall be 50.00 feet beginning at the section line.
 - 2) A culvert is needed under North 185th Court for the ditch of Havelock Avenue.
 - 3) The intersection radius shall be 50.00 feet.
 - 4) The vertical curve at Sta. 7+00 is too short.
 - 5) The contours on the grading plan are incorrect.
 - 1.2 Show/call out the water line and size.
 - 1.3 Revise note #3, a bonus is not requested.
 - 1.4 Show the easement for the power line at the southeast corner.
 - 1.5 Provide a drainage study or explanation of why it is not needed.
 - 1.6 Name N. 185th Street. The regulations require a diagonal or curvilinear street to be named. Revise other references to 185th St.
 - 1.7 Revise the Approval Block to include "and Community Unit Plan".

- 1.8 Revise note #17 to read "Future lot owners, their successors and assigns, shall be advised that this is a rural farm area and that normal and customary farm activities will occur and are not a nuisance".
2. This approval permits 4 single family lots.

General:

3. Before receiving building permits:
 - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
 - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.
 - 3.3 The construction plans are to comply with the approved plans.
 - 3.4 The final plat(s) is/are approved by the County Board.
 - 3.5 The County Board approves associated requests:
 - 3.5.1 Stevens Creek Estates Preliminary Plat #02010.
 - 3.5.2 A waiver to the sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
 - 3.5.3 A modification to the requirements of the land subdivision ordinance\resolution to permit a block length in excess of 1320' along the north, east and west perimeter of this subdivision.
 - 3.6 The County Engineer has approved:
 - 3.6.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.
- 4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.
- 4.3 All privately-owned improvements, including, landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.
- 4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.6 The County Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

CONDITIONS FOR PRELIMINARY PLAT #02010:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of March 26, 2002.
 - 1) The dedication of right-of-way on both North 190th Street and Havelock Avenue shall be 50.00 feet beginning at the section line.
 - 2) A culvert is needed under North 185th Court for the ditch of Havelock Avenue.
 - 3) The intersection radius shall be 50.00 feet.
 - 4) The vertical curve at Sta. 7+00 is too short.

- 5) The contours on the grading plan are incorrect.
- 1.2 Show/call out the water line and size.
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- 1.5 Provide a drainage study or explanation why it is not needed.
- 1.6 Name N. 185th Street. The regulations require a diagonal or curvilinear street to be named. Revise other references to 185th St.
- 1.7 Revise the Approval Block to include “and Community Unit Plan”.
- 1.8 Revise note #17 to read “Future lot owners, their successors and assigns, shall be advised that this is a rural farm area and that normal and customary farm activities will occur and are not a nuisance”.
- 2. The County Board approves associated requests:
 - 2.1 Special Permit # 194 for the Community Unit Plan.
 - 2.2 A waiver to the sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
 - 2.3 A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320' along the east, west and north perimeter of this subdivision.

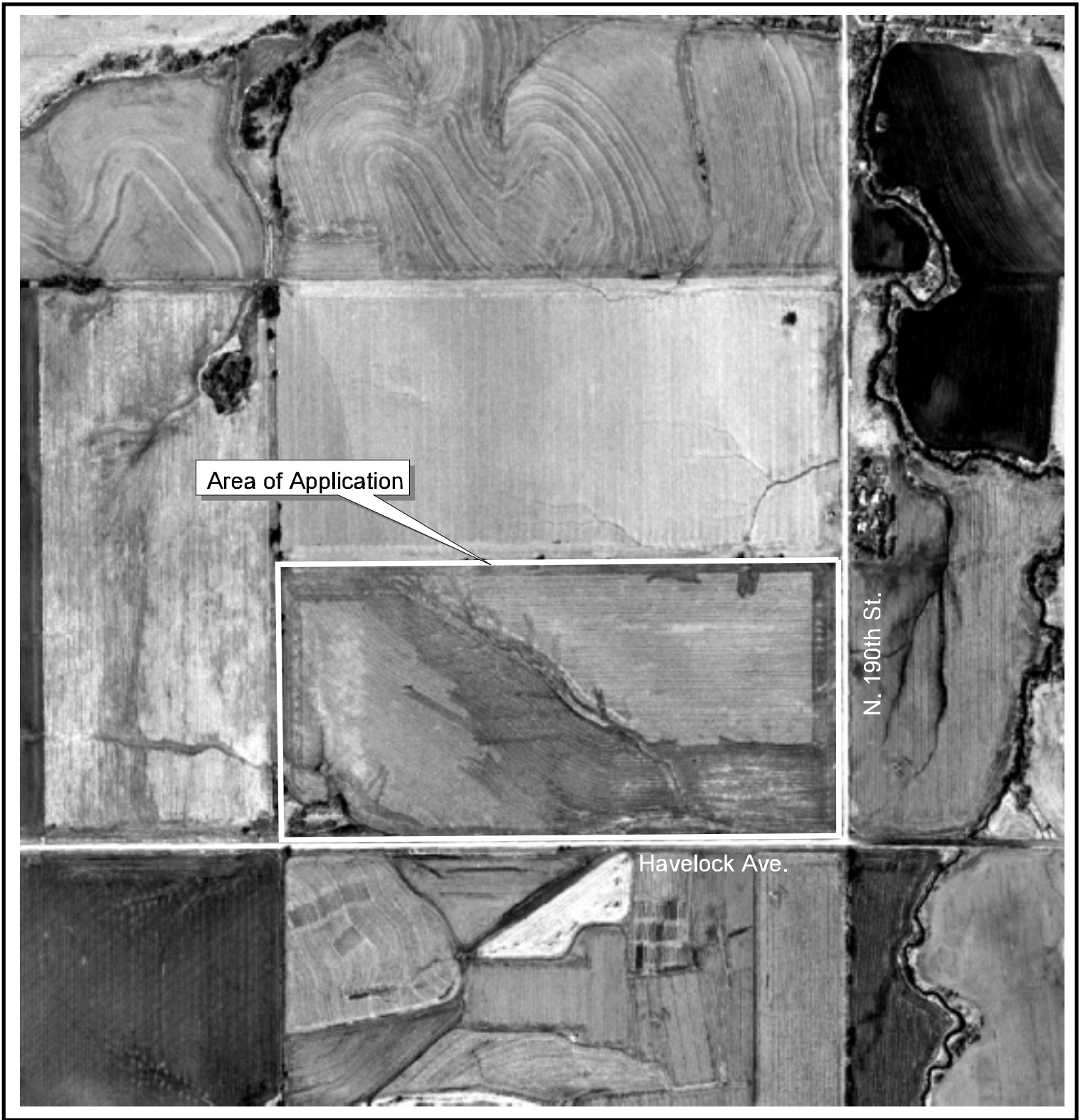
General:

- 3. Final Plats will be scheduled on the Planning Commission agenda after:
 - 3.1 Streets, street trees, water facilities, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.
 - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 3.2.1 To submit to the County Engineer an erosion control plan.

- 3.2.2 To protect the remaining trees on the site during construction and development.
- 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis.
- 3.2.4 To complete the private improvements shown on the preliminary plat.
- 3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.
- 3.2.6 To relinquish the right of direct vehicular access to Havelock Avenue except for N 185th Street (as renamed) and to N 190th Street except for farm access to Outlot B.
- 3.2.7 To maintain County roads until the County Board specifically accepts the maintenance.
- 3.2.8 To comply with the provisions of the Land Subdivision Ordinance\Resolution regarding land preparation.

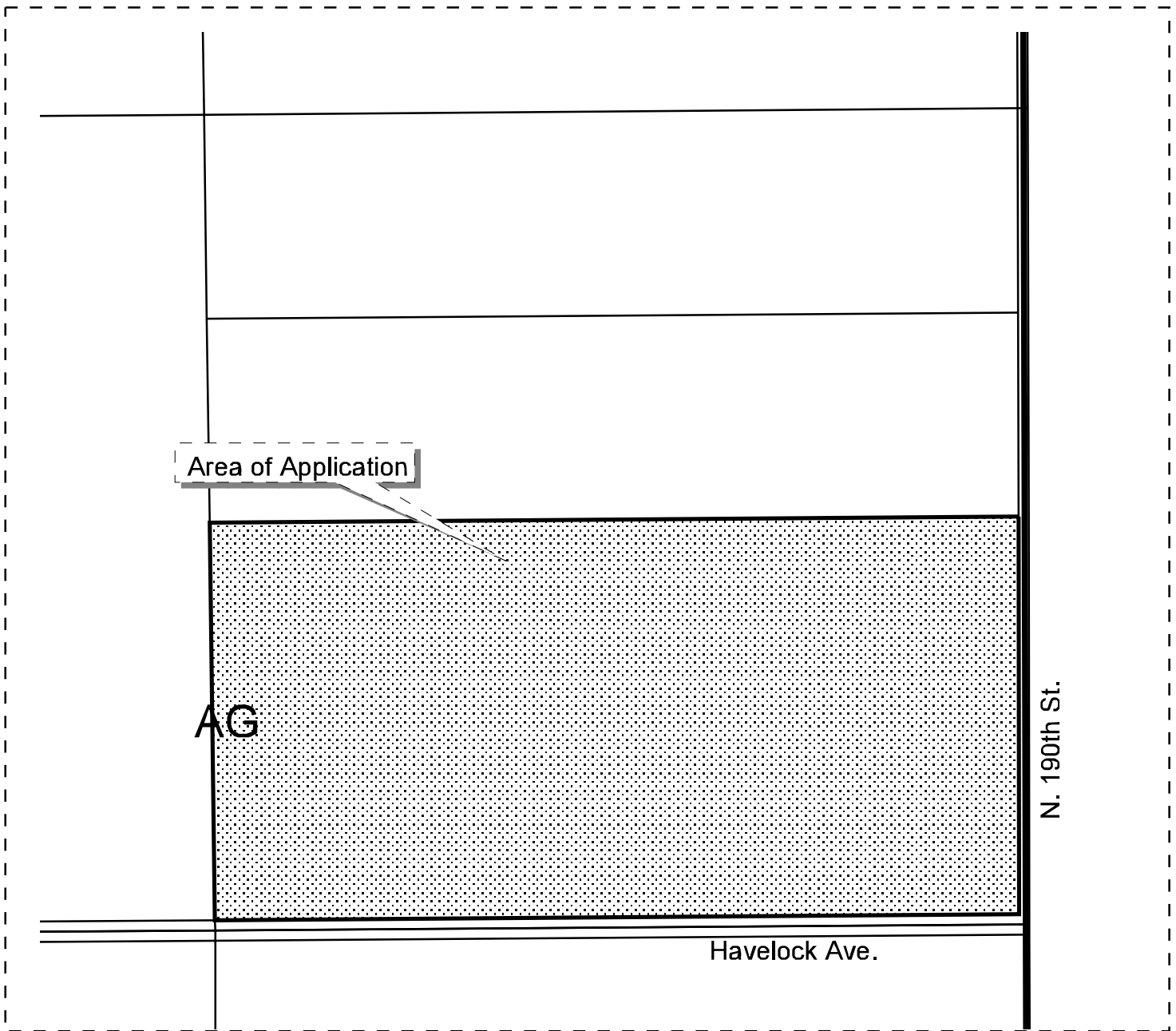
Prepared by:

Michael V. DeKalb AICP
Planner



County Preliminary Plat #02010
County Special Permit #194
Stevens Creek Estates
N. 190th and Havelock Ave.





County Preliminary Plat #02010
County Special Permit #194
Stevens Creek Estates
N. 190th and Havelock Ave.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

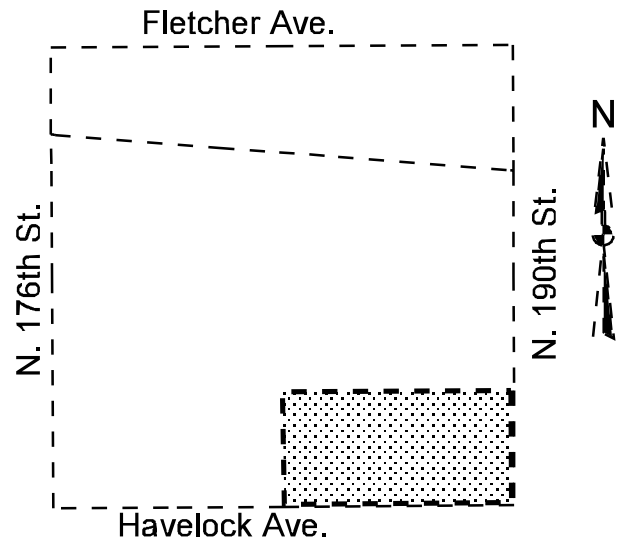
One Square Mile
 Sec. 1 T10N R8E



Zoning Jurisdiction Lines

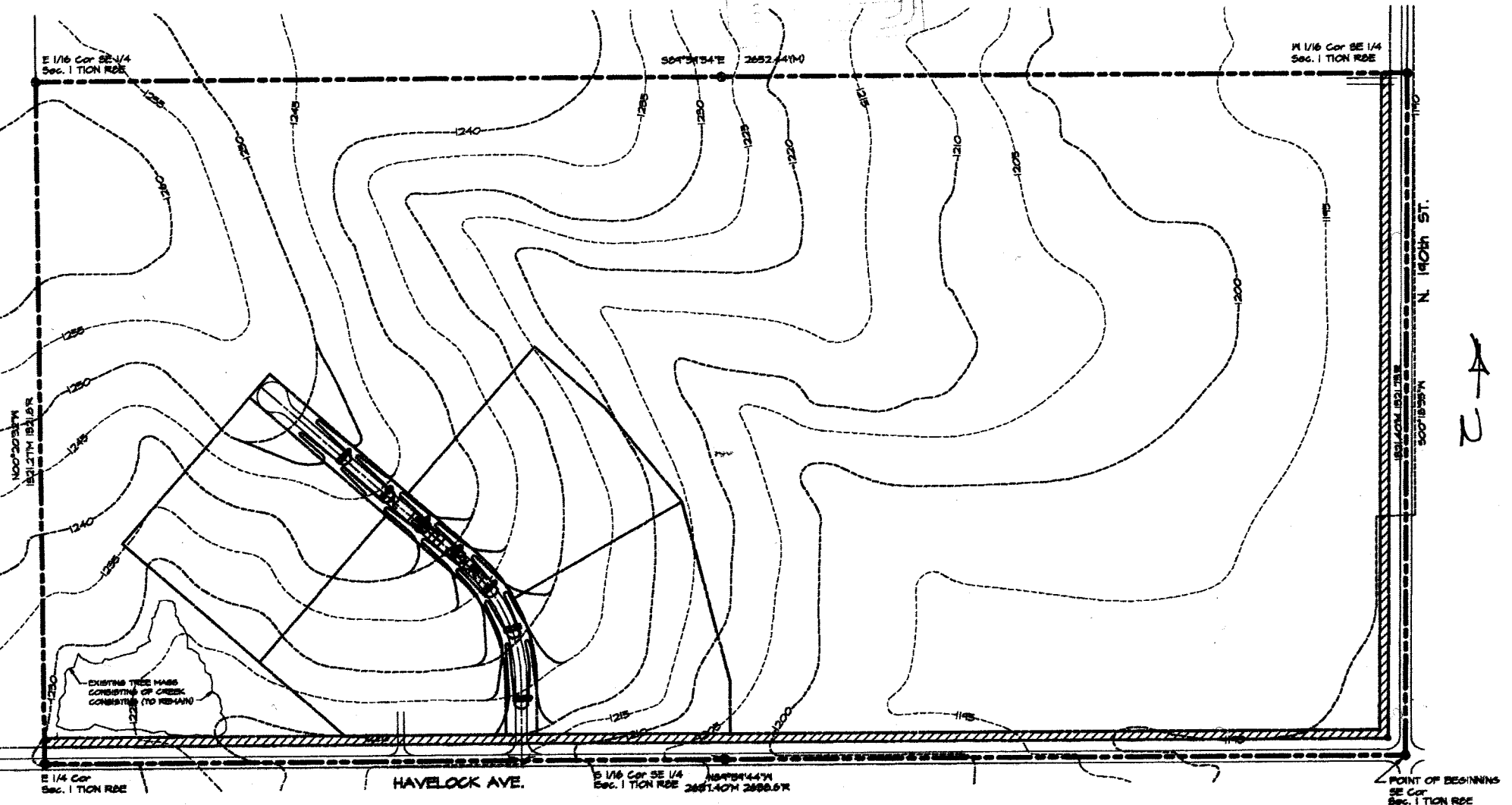


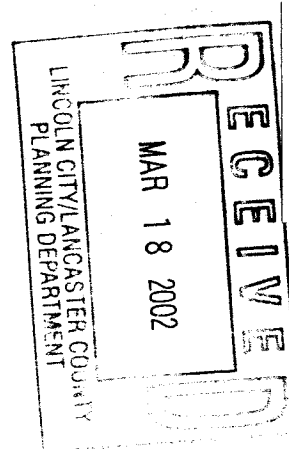
City Limit Jurisdiction



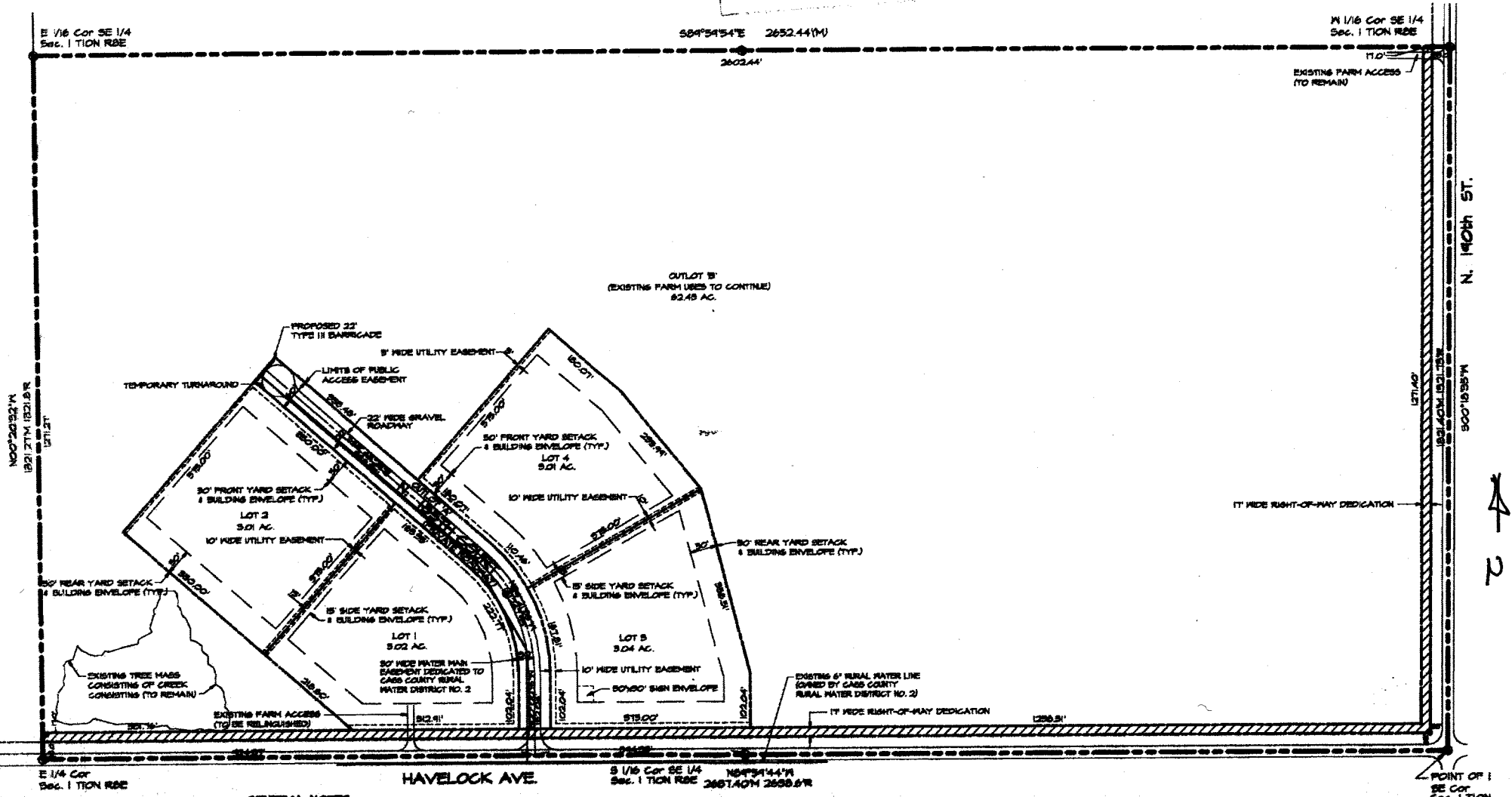
**County Preliminary Plat #02010
County Special Permit #194
Stevens Creek Estates
N. 190th and Havelock Ave.**

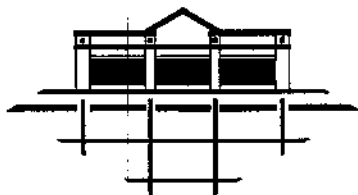
RECEIVED
MAR 18 2002
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT





County Preliminary Plat #02010
County Special Permit #194
Stevens Creek Estates
N. 190th and Havelock Ave.





BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

March 18, 2002

Ms. Kathleen Sellman, AICP
Director of Planning
Lincoln City- Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: STEVENS CREEK ESTATES - PRELIMINARY PLAT & COMMUNITY UNIT PLAN
NORTH 190TH STREET & HAVELOCK STREET

Dear Ms. Sellman,

On behalf of Gerry and Dianne Krieser, we submit the above mentioned applications for your review. Stevens Creek Estates is a proposed C.U.P. on approximately 80 acres and is currently zoned 'AG'. We are showing 4 single family acreage lots, containing a minimum of 3 acres. They will each have public water from the Cass County Rural Water District and individual septic systems. The private roadway will be graveled to meet Lancaster County design standards.

We have 'clustered' the 4 lots close to Havelock Avenue so the balance of the farm can continue to be farmed. A future roadway has been shown towards the western end of N. 185th Court to allow for any potential future subdivision. The width of the proposed Outlot A will allow for the standard 60' right of way dedication if this area is ever further subdivided or annexed.

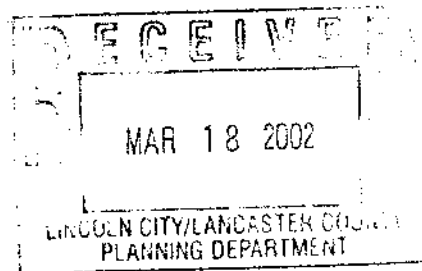
We are requesting waivers to the Land Subdivision Ordinance to waive sidewalks, street trees, street lighting, landscape screening and block length, as each lot is larger than 1 acre and this project will not be annexed into the City of Lincoln in the near future.

Please contact me if you have any further questions.

Sincerely,

Brian D. Carstens

cc: Gerry and Dianne Krieser



CASS COUNTY RURAL WATER DISTRICT NO 2

PO BOX 195
108 SOUTH 4TH STREET
ELMWOOD, NEBRASKA 68349

Phone 402/994-2555; Cellular 430-9680

Fax 402/994-2550

Manager: Bob West

Clerk: Faye Berry

BOARD OF DIRECTORS

Jerry Delhay, Chairman - 2003

Dennis Nielsen, Secretary - 2004

Dave Erickson, Treasurer - 2003

Dean Douglas - 2002

Mark Roland - 2002

Merle Schroeder - 2003

Dave Stock - 2004

March 04, 2002

TO WHOM IT MAY CONCERN

Re: S 1/2 SE 1/4 Section 1-10-8, approximately 182nd & Havelock Streets

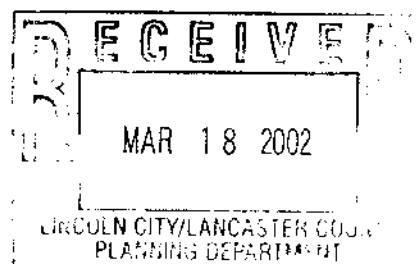
This is to inform you that at the current time we have water available to be used for four (4) water hookups at this location.

If you have any questions, please feel free to contact us.

Sincerely,



Faye K. Berry
Clerk



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: 4/1/2002

DEPARTMENT: Planning

FROM: Chris Schroeder
Ron Marquart

ATTENTION:

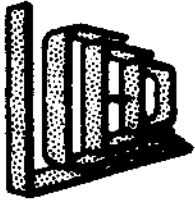
DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Stevens Creek Estates
SP #194 PP #02010

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed and conducted an on-site visit for this proposed plat with the following items noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.
- Water supply is proposed to be a Rural Water District public water system. If private water wells are used for these lots, a groundwater quality and quantity study must be provided.
- Sharpsburg and silty clay loam soil is present on all of the lots on this plat. This soil may not yield an acceptable percolation rate for a standard septic system. If this soil produces a failing percolation rate, an alternative non-standard wastewater treatment system or a waste stabilization lagoon may be required. All of the lots are more than three acres and appear to have adequate room for a dwelling, water well, and on-site wastewater treatment system.



Lancaster


County

Engineering

Department

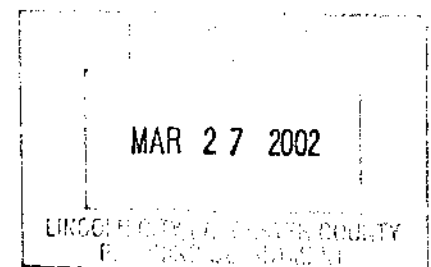
DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: March 26, 2002
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: STEVENS CREEK ESTATES

This office has reviewed subject Preliminary Plat and would offer the following comments:

- 1) The dedication of right-of-way on both North 190th Street and Havelock Avenue shall be 50.00 feet beginning at the section line.
- 2) A culvert is needed under North 185th Court for the ditch of Havelock Avenue.
- 3) The intersection radius shall be 50.00 feet.
- 4) The vertical curve at Sta. 7+00 is too short.
- 5) The contours on the grading plan are incorrect.



LVW/DP/cm
SUBDIV.WK/Stevens Creek Estates PP Comments.Mem

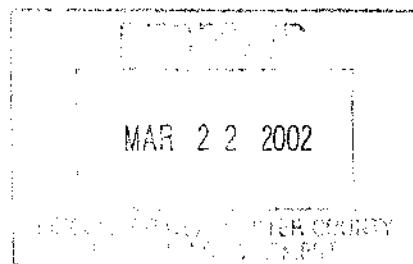
SUPERVISOR, CUSTOMER SERVICE SUPPORT



UNITED STATES
POSTAL SERVICE

March 21, 2002

Mike
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992



SUBJECT: Pioneer Ridge Subdivision #02008
Wyndam Place Subdivision #02009
Stevens Creek Estates #02010
Meadow View 1st Addition #2326

Mike,

I have reviewed the above-mentioned requests.

I find no concerns on behalf of the United States Postal Service and would agree with these proposals as submitted.

Please feel free to call me with any questions.

Thank you,

Delores A Risk
Manager, Customer Service Support



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

March 21, 2002

Mr. Mike DeKalb
Planning Dept.
555 South 10th St.
Lincoln, NE 68508

RE: Stevens Creek Estates – 190th & Havelock

Dear Mike,

We have reviewed the subject plat and everything appears to be satisfactory.

Sincerely,

Randy Evans
Area Manager



Dennis L Roth

03/21/2002 07:03
AM

To: Michael V Dekalb/Notes@Notes

cc:

Subject: re: Stevens Creek Estates

PROJ NAME: Stevens Creek Estates
PROJ NMBR:
PROJ DATE: 03/18/02
PLANNER: Mike DeKalb

Finding NO duplicate/similar names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

Public Streets: Havelock Av
Private Streets: S 185th Ct